

Nixon Submits Bills to Fight Crime in City

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The Nixon Administration proposed for Washington yesterday a new, streamlined court system with stiff rules for the detection, arrest, bail and trial of criminal suspects.

"This model anticrime program will point the way for the entire Nation," Attorney General John N. Mitchell

said, "at a time when crime and fear of crime are forcing us, a free people, to alter the pattern of our lives."

The package of bills sent to Congress, Mitchell said, reflects the Nixon Administration's "firm, but even-handed approach" on crime control.

The bills aim at unifying and updating the courts here, speeding trials, and providing criminal defendants and civil litigants with improved services.

They advocate drastic steps to jail "dangerous" defendants before trial.

They authorize investigative wiretapping.

They give the police new arrest and search powers. They greatly strengthen the prosecutor's weapons in court battles.

325-Page Blueprint

Minutely detailed, 325-page blueprint for overhauling the city's courts would create for the first time an almost completely local legal system for Washington, except for Presidential appointment of judges and prosecution of felony cases by Federal lawyers.

A new "Superior Court" for the District of Columbia, housed in a planned new courthouse on Pennsylvania Avenue, would include the present Court of General Sessions, Juvenile Court, D.C. Tax Court and all local criminal, civil and probate cases now handled by the U.S. District Court here.

Appeals from all cases in this court would go to an enlarged D.C. Court of Appeals, and from there directly to the U.S. Supreme Court if it ac-

cepted the case.

Bypass Appeals Court

This would bypass the U.S. Circuit Court of Appeals here, whose jurists, led by Chief Judge David L. Bazelon, have used their jurisdiction over local cases to write many new legal doctrines considered to be liberal departures from tradition.

The U.S. Court of Appeals and the U.S. District Court here would revert to the status of the Nation's other Federal courts, handling only peculiarly Federal crimes and Government litigation.

See JUSTICE, A12, Col. 1

Related stories on Page A12

JUSTICE, From A1

Coupled with the court reorganization are a series of Nixon Administration proposals for changing police and court rulings to strengthen the hand of law enforcement officers.

The U.S. attorney's office here would be empowered to use wiretaps — without a judge's authorization in "emergencies" — to investigate most felony crimes, from abortion and property destruction to narcotics sales and murder.

The police would be authorized to make more arrests without warrants.

And they would no longer have to knock first and identify themselves when executing a warrant in a raid when lives are in danger or evidence, such as gambling slips or narcotics, could be destroyed.

The three-hour limit on the time during which police may question suspects before presenting them to a magistrate would be stretched by the time it takes the police to book and fingerprint them and perform other necessary procedures not involving questioning.

Prosecutors would be given new rights to appeal court rulings that go against them, even after a trial is over and defendant has been acquitted.

Judges would be required to

give stiffer sentences to many kinds of convicts and permitted to mete out life sentences to three-time losers.

The preventive detention proposal would authorize judges to jail pending trial suspects whom they believe to be a danger to the community and likely to be convicted.

Those defendants who win release until trial would get stiff mandatory sentences for committing new crimes while free for failing to show up on time for trial.

This preventive detention authority is in addition to another bill in the Administration package that would expand the D.C. Bail Agency and direct it to supervise defendants released until trial.

The fourth and final bill sent to Congress would expand the D.C. Legal Agency into a professional Public Defender Service providing free, Government paid lawyers for up to 60 per cent of the indigent defendants, including juveniles, there.

The fat bill to reorganize the city's courts and change some of the rules for dealing with criminal suspects will now go to the District Committees of the House and Senate.

The Senate District Committee, under Chairman Joseph D. Tydings (D-Md.), will begin hearings next week on the bill and several much less detailed

court overhaul proposals already introduced by Tydings and other Senators.

Tydings had twice postponed these hearings when the Administration bill was not ready earlier this year. Last week, he strongly criticized the President and the Justice Department for moving too slowly.

In answer to this, the Justice Department included with yesterday's legislative proposals a long summary of the \$22 million included in the fiscal 1969 and 1970 budgets for the city to expand and improve the police force, courts, prison system and antidelinquency agencies here.

Justice Department experts who drafted the bills also pointed out that the Administration anticrime package is much more detailed than similar bills introduced much earlier by Tydings.

Privately, they accused Tydings of rushing to beat and embarrass the White House.

True to the word of Justice officials, the package unveiled yesterday is meticulously detailed, down to a retirement plan for judges, the fee to be paid the executioner and the type of annual reports to be made by court officers.

Other details of vital importance to local lawyers, who had feared they would be overlooked, are also included, such as the 25-mile radius for

service of subpoenas for witnesses.

All this, and especially including the likely controversial new rules for police and prosecutors, may be too much for the Congressional process to swallow before the end of this session, as Tydings had warned earlier.

The preventive detention proposal could be the most controversial and hog the stage of congressional and national attention.

It has the strong approval of most inside the Administration and Republicans on Capitol Hill, who have already introduced a similar bill, those considered legal conservatives—and, oddly, Tydings, who has also introduced a similar bill.

But just as varied a coalition opposes the concept, including civil libertarians and Sen. Sam J. Ervin (D-S.C.). Ervin chairs the Senate Judiciary Subcommittee that must approve the preventive detention bill. And he wrote the Bail Reform Act of 1966 that it amends.

The court reorganization proposal could also run into the opposition of the senior men in the local bar on the U.S. District Court bench.

They have made clear in the past that they prefer that "serious" crimes and civil cases be tried in the Federal courthouse, rather than the hurly burly of a truly local tribunal.